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Dated: August 17, 2006

Signature:

(Janice Roussel)

Docket No.: 0108195.00128US1
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Archibald I. J. BRAIN Confirmation No.: 8539
Application No.: 09/803452 Art Unit: 3743
Filed: March 8, 2001 Examiner: A. J. Lewis
Title: GASTRO-LARYNGEAL MASK

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INFORMATION DISCLOSURE STATEMENT (IDS)

Dear Sir:

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Respectfully submitted,

Dated: August 17, 2006



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				Application Number	09/803452-Conf. #8539
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				First Named Inventor	Archibald I. J. BRAIN
				Art Unit	3743
				Examiner Name	A. J. Lewis
Sheet	1	of	5	Attorney Docket Number	0108195.00128US1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	AA*	US-2,862,498	12-02-1958	Weekes	
	AB*	US-2003/0131845-A1	07-17-2003	Lin	
	AC*	US-3,554,673	01-12-1971	Schwartz et al.	
	AD*	US-3,683,908	08-15-1972	Tantrimudalige et al.	
	AE*	US-3,931,822	01-13-1976	Marici	
	AF*	US-4,104,357	08-01-1978	Blair	
	AG*	US-4,553,540	11-19-1985	Straith	
	AH*	US-4,793,327	12-27-1988	Frankel	
	AI*	US-4,832,020	05-23-1989	Augustine	
	AJ*	US-4,872,483	10-10-1989	Shah	
	AK*	US-4,953,547	09-04-1990	Poole, Jr.	
	AL*	US-5,038,766	08-13-1991	Parker	
	AM*	US-5,042,469	08-27-1991	Augustine	
	AN*	US-5,203,320	04-20-1993	Augustine	
	AO*	US-5,235,973	08-17-1993	Levinson	
	AP*	US-5,249,571	10-05-1993	Brain	
	AQ*	US-5,339,805	08-23-1994	Parker	
	AR*	US-5,339,808	08-23-1994	Don Michael	
	AS*	US-5,391,248	02-21-1995	Brain	
	AT*	US-5,487,383	01-30-1996	Levinson	
	AU*	US-5,529,582	06-25-1996	Fukuhara	
	AV*	US-5,569,219	10-29-1996	Hakki et al.	
	AW*	US-5,582,167	12-10-1996	Joseph	
	AX*	US-5,584,290	12-17-1996	Brain	
	AY*	US-5,599,301	02-04-1997	Jacobs et al.	
	AZ*	US-5,623,921	04-29-1997	Kinsinger et al.	
	AA1*	US-5,632,271	05-27-1997	Brain	
	AB1*	US-5,653,229	08-05-1997	Greenberg	
	AC1*	US-5,655,528	08-12-1997	Pagan	
	AD1*	US-5,682,880	11-04-1997	Brain	
	AE1*	US-5,694,929	12-09-1997	Christopher	
	AF1*	US-5,711,293	01-27-1998	Brain	
	AG1*	US-5,743,254	04-28-1998	Parker	
	AH1*	US-5,743,258	04-14-1998	Hoftman	
	AI1*	US-5,746,202	05-05-1998	Pagan	
	AJ1*	US-5,771,889	06-30-1998	Pagan	
	AK1*	US-5,791,341	08-11-1998	Bullard	
	AL1*	US-5,850,832	12-22-1998	Chu	
	AM1*	US-5,865,176	02-02-1999	O'Neil	
	AN1*	US-5,878,745	03-09-1999	Brain	
	AO1*	US-5,881,726	03-16-1999	Neame	
	AP1*	US-5,896,858	04-27-1999	Brain	
	AQ1*	US-5,915,383	06-29-1999	Pagan	
	AR1*	US-5,937,860	08-17-1999	Cook	
	AS1*	US-5,979,445	11-09-1999	Neame et al.	

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Application Number	09/803452-Conf. #8539
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				First Named Inventor	Archibald I. J. BRAIN
				Art Unit	3743
				Examiner Name	A. J. Lewis
Sheet	2	of	5	Attorney Docket Number	0108195.00128US1

AT1*	US-5,983,897	11-16-1999	Pagan	
AU1*	US-5,988,167	11-23-1999	Kamen	
AV1*	US-5,996,582	12-07-1999	Turnbull	
AW1*	US-5,277,178	01-11-1994	Dingley	
AX1*	US-6,003,510	12-21-1999	Anunta	
AY1*	US-6,003,514	12-21-1999	Pagan	
AZ1*	US-6,012,452	01-11-2000	Pagan	
AA2*	US-6,021,779	02-08-2000	Pagan	
AB2*	US-6,050,264	04-18-2000	Greenfield	
AC2*	US-6,070,581	06-06-2000	Augustine et al.	
AD2*	US-6,079,409	06-27-2000	Brain	
AE2*	US-6,095,144	08-01-2000	Pagan	
AF2*	US-6,116,243	09-12-2000	Pagan	
AG2*	US-6,119,695	09-19-2000	Augustine et al.	
AH2*	US-6,240,922	06-05-2001	Pagan	
AI2*	US-6,390,093	05-21-2002	Mongeon	
AJ2*	US-6,427,686-A1	08-06-2002	Augustine et al.	
AK2*	US-6,439,232	08-27-2002	Brain	
AL2*	US-6,631,720	10-14-2003	Brain et al.	
AM2*	US-6,705,318	03-16-2004	Brain	
AN2*	US-7,004,169-A1	02-28-2006	Brain et al.	
AO2	US-D429811	08-22-2000	Bermudez, et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
	BA	EP-0 732 116-A2	09-18-1996	Smiths Industries Public Limited Company		
	BB	WO-00/09189	02-24-2000	Archibald I. J. Brain		
	BC	WO-00/22985	04-27-2000	Children's Hospital, Inc.		
	BD	WO-00/23135	04-27-2000	Dimitriou et al.		
	BE	WO-00/61212	10-19-2000	Vital Signs Inc.		
	BF	EP-0294200	04-15-1992	Brain		
	BG	EP-0389272	09-26-1990	Brain		
	BH	EP-0402872	12-19-1990	L. VAD Technology Inc.		
	BI	EP-0580385	05-08-1996	Brain		
	BJ	EP-0712638	05-22-1996	Mallinckrodt Medical, Inc., et al.		
	BK	EP-0796631	09-24-1997	Brain		
	BL	EP-0845276	06-03-1998	Smiths Industries, PLC		
	BM	EP-0865798	09-23-1998	Smiths Industries Public Limited Company		
	BN	EP-0922465	06-16-1999	Smiths Industries Public Limited Company		
	BO	JP-10118182	05-12-1998	Smiths Industries PLC		
	BP	JP-10216233	08-18-1998	Smiths Industries PLC		
	BQ	JP-10263086	10-06-1998	Smiths Industries PLC		
	BR	JP-10277156	10-20-1998	Smiths Industries PLC		
Examiner Signature				Date Considered		



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Sheet	3	of	5	Attorney Docket Number	0108195.00128US1

BS	JP-10314308	12-02-1998	Smiths Industries PLC		
BT	JP-10323391	12-08-1998	Aoki Shigeru		
BU	JP-10328303	12-15-1998	Smiths Industries PLC		
BV	JP-11128349	05-18-1999	Smiths Industries PLC		
BW	JP-11192304	07-21-1999	Smiths Industries PLC		
BX	EP-1119386-B1	09-07-2005	The Laryngeal Mask Company Limited		√
BY	JP-11206885	08-03-1999	Smiths Industries PLC		
BZ	EP-1125595	08-22-2001	Smiths Group PLC		
BA1	CA-2012750	08-24-1999	Brain		
BB1	CA-2067782	06-15-1999	Parker Medical Limited Partnership		
BC1	GB-2111394	07-06-1983	Brain		
BD1	CA-2141167	07-28-1995	Fink et al.		
BE1	GB-2205499	01-16-1991	Brain		
BF1	GB-2298797-A	09-18-1996	Smiths Industries Public Limited Company		√
BG1	GB-2317342	03-25-1998	Smiths Industries Public Limited Company		
BH1	GB-2317830	04-08-1998	Smiths Industries Public Limited Company		
BI1	GB-2318735	05-06-1998	Smiths Industries Public Limited Company		
BJ1	GB-2319478	05-27-1998	Smiths Industries Public Limited Company		
BK1	GB-2321854	08-12-1998	Smiths Industries Public Limited Company		
BL1	GB-2323289	09-23-1998	Smiths Industries Public Limited Company		
BM1	GB-2323290	09-23-1998	Smiths Industries Public Limited Company		
BN1	GB-2323291	09-23-1998	Smiths Industries Public Limited Company		
BO1	GB-2323292	09-23-1998	Smiths Industries Public Limited Company		
BP1	GB-2359996	09-12-2001	Smiths Industries Public Limited Company		
BQ1	WO-91/03207	03-21-1991	Boston Scientific Corporation		
BR1	WO-91/07201	05-30-1991	Jeffrey Parker		
BS1	WO-91/12845	09-05-1991	Smiths Industries Public Limited Company		
BT1	WO-92/13587	08-20-1992	Brain		
BU1	WO-95/33506	12-14-1995	Brain		
BV1	WO-97/12640	04-10-1997	Brain		
BW1	WO-97/12641	04-10-1997	Brain		
BX1	WO-98/16273	04-23-1998	Augustine Medical		
BY1	WO-99/06093	02-11-1999	Nimmo		

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				Examiner Name	A. J. Lewis
Sheet	4	of	5	Attorney Docket Number	0108195.00128US1

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. * CITE NO.: Those application(s) which are marked with an asterisk (*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	CA	Abdelatti, "A Cuff Pressure Controller for Tracheal Tubes and Laryngeal Mask Airway," <i>Anaesthesia</i> , 1999, Vol. 54, pp. 981-986.	
	CB	Benumof, "Laryngeal Mask Airway and teh ASA Difficult Airway Algorithm," <i>Anesthesiology</i> , 1996, Vol. 84(3), pp. 686-699.	
	CC	Bernhard et al., "Adjustment of Intracuff Pressure to Prevent Aspiration," <i>Anesthesiology</i> , 1979, Vol. 50(4), pp. 363-366.	
	CD	Bernhard et al., "Physical Characteristics of and Rates of Nitrous Oxide Diffusion into Tracheal Tube Currs," <i>Anesthesiology</i> , 1978, Vol. 48, pp. 413-414.	
	CE	Brain, "The Laryngeal Mask - A New Concept in Airway Management," <i>Br. J. Anaesth.</i> , 1983, Vol. 55, pp. 801-805.	
	CF	Brain, "The Laryngeal Mask Airway - A Possible New Solution to Airway Problems in the Emergency Situation," <i>Archives of Emergency Medicine</i> , 1984, Vol. 1, pp. 229-232.	
	CG	Brain, "The Laryngeal Mask Airway," <i>Anaesthesia</i> , 1985, Vol. 40, pp. 356-361.	
	CH	Brain, "Three Cases of Difficult Intuition Overcome by the Laryngeal Mask Airway," <i>Anaesthesia</i> , 1985, Vol. 40, pp. 353-355.	
	CI	Brain, et al., "A New Laryngeal Mask Prototype," <i>Anaesthesia</i> , 1995, Vol. 50, pp. 42-48.	
	CJ	Brimacombe, "The Split Laryngeal Mask Airway," p. 639.	
	CK	Broderick et al., "The Laryngeal Mask Airway," <i>Anaesthesia</i> , 1989, Vol. 44, pp. 238-241.	
	CL	Burgard, et al., "The Effect of Laryngeal Mask Cuff Pressure on Postoperative Sore Throat Incidence," <i>J. Clinical Anesthesia</i> , 1996, Vol. 8, pp. 198-201.	
	CM	Caplan, et al., "Adverse Respiratory Events in Anesthesia: A Clsoed Claims Analysis", <i>Anesthesiology</i> 72: 828-833, 1990	
	CN	Communication of a notice of opposition, European Patent Office, February 15, 2006 (cover page and pages 1-4)	
	CO	Craven, "Prevention of Hospital-Acquired Pneumonia: Measuring Effect in Ounces, Pounds, and Tonds," <i>Annals of Internal Medicine</i> , 1995, Vol. 122(3), pp. 229-231.	
	CP	Cuff-Pressure-Control DCR, 2000, LogoMed.	
	CQ	Davies, et al., "Laryngeal Mask Airway and Tracheal Tube Insertion by Unskilled Personnel," <i>The Lancet</i> , Vol. 336, pp. 977-979.	
	CR	DeMello, et al., "The Use of the Laryngeal Mask Airway in Primary Anaesthesia," <i>Anaesth. Corresp.</i> , 1990, Vol. 45, pp. 793.	
	CS	Doyle et al., "Intraoperative Awareness: A Continuing Clinical Problem," http://doyle.ibme.utoronto.ca/anesthesia/aware.htm	
	CT	Engbers, "Practical Use of 'Diprifusor' Systems," <i>Anaesthesia</i> , 1998, Vol. 53(1), pp. 28-34.	
	CU	Eriksson et al., "Functional Assessment of the Pharynx at Rest and During Swallowing in Partially Paralyzed Humans," <i>Anesthesiology</i> , 1997, Vol. 87(5), pp. 1035-1042.	
	CV	Glen, "The Development of 'Diprifusor' : A TCI System for Propofol," <i>Anaesthesia</i> , 1998, Vol. 53(1), pp. 13-21.	
	CW	Gray et al., "Development of the Technology for 'Diprifusor' TCI Systems," <i>Anaesthesia</i> , 1998,	

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				Examiner Name	A. J. Lewis
Sheet	5	of	5	Attorney Docket Number	0108195.00128US1

		Vol. 53(1), pp. 22-27.	
	CX	Heath, "Endotracheal Intubation Through the Laryngeal Mask - Helpful When Laryngoscopy is Difficult or Dangerous," European J. of Anaesthesiology, 1991, Vol. 4, pp. 41-45.	
	CY	Hickey, et al., "Cardiovascular Response to Insertion of Brain's Laryngeal Mask," Anaesthesia, 1990, Vol. 45, pp. 629-633.	
	CZ	Inomata et al., "Transient Bilateral Vocal Cord Paralysis After Insertion of a Laryngeal Mask Airway," Anesthesiology, 1995, Vol. 82, pp. 787-788.	
	CA1	Jacobson et al., "A Study of Intracuff Pressure Measurements, Trends and Behaviours in Patients During Prolonged Period of Tracheal Intubation," Br. J. Anaesth., 1981, Vol. 53, pp. 97.	
	CB1	Kambic et al., "Intubation Lesions of the Larynx," Br. J. Anesth. 1978, Vol. 50, pp. 587-590.	
	CC1	Lindholm, "Prolonged Endotracheal Intubation," ACTA Anaesthesiologica Scandinavica, 1969, Vol. 33, pp. 32-46.	
	CD1	Majumder et al., "Bilateral Lingual Nerve Injury Following the Use of the Laryngeal Mask Airway," Anaesthesia, 1998, Vol. 53, pp. 184-186.	
	CE1	Miller, "A Pressure Regulator for the Cuff of a Tracheal Tube," Anaesthesia, 1992, Vol. 47, pp. 594-596.	
	CF1	Muthuswamy et al., "The Use of Fuzzy Integrals and Bispectral Analysis of the Electroencephalogram to Predict Movement under Anesthesia," IEEE Transactions on Biomedical Engineering, 1999, Vol. 46(3), pp. 290-299.	
	CG1	Nagai, "Unilateral Hypoglossal Nerve Paralysis Following the Use of the Laryngeal Mask Airway," Anaesthesia, 1994, Vol. 49, pp. 603-604.	
	CH1	Observations by Third Party Concerning European Patent Application No. 99 947 765.6-2318, European Patent Office, Munich, Germany, January 18, 2005 (3 pgs.).	
	CI1	Patel et al., "Tracheal Tube Cuff Pressure," Anaesthesia, 1984, Vol. 39, pp. 862-864.	
	CJ1	Pennant, "Comparison of the Endotracheal Tube and Laryngeal Mask in Airway Management by Paramedical Personnel," Anesth. Analg., 1992, Vol. 74, pp. 531-534.	
	CK1	Pippin et al., "Long-Term Tracheal Intubation Practice in the United Kingdom," Anaesthesia, 1983, Vol. 38, pp. 791-795.	
	CL1	Raeder et al., "Tracheal Tube Cuff Pressures," Anaesthesia, 1985, Vol. 40, pp. 444-447.	
	CM1	Response to Complaint Matter No.: 4b 0 440-05, In the Matter of: LMA Deutschland GmbH versus Ambu (Deutschland) GmbH, February 10, 2006, pages 1-47	
	CN1	Seegobin et al., "Endotracheal Cuff Pressure and Tracheal Mucosal Blood Flow: Endoscopic Study of Effects of Four Large Volume Cuffs," British Medical Journal, 1984, Vol. 288.	
	CO1	Willis et al., "Tracheal Tube Cuff Pressure," Anaesthesia, 1988, Vol. 43, pp. 312-314.	
	CP1	Worthington, et al., "Proceedings of the Anaesthetic Research Society," Br. J. Anaesthesia, 1995, Vol. 75, pp. 228P-229P.	
	CQ1	Wynn et al., "Tongue Cyanosis After Laryngeal Mask Airway Insertion," Anesthesiology, 1994, Vol. 80(6), pp. 1403.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

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Attorney Docket No.: 0108195.00128US1

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